

### **REMARKS/ARGUMENTS**

In the most recent Office Action, claims 1-23 were examined. Claims 1-23 stand rejected. Claims 15 is amended. Accordingly, claims 1-23 are pending in the present application. No new matter is added.

### **CLAIM REJECTIONS - 35 U.S.C. § 102**

The Office Action states that claims 1-3, 5, 8-14 and 16-23 are rejected under 35 U.S.C. § 102(e) as being anticipated by Boehmke (U.S. Publication No. 2002/0119786A1). In particular, the Office Action states that Boehmke teaches each and every claim limitation in the rejected claims. The rejection is respectfully traversed.

While Boehmke appears to teach a system for detecting mobile communication operations, the disclosed system does not interact with the mobile user where the mobile user is permitted access to resources that the user can manipulate. The Office Action cites Figure 1 and section 61 on page 5 of the disclosure by Boehmke to support the conclusion that a wireless device and a processor exchange wireless format information through a network. However, Boehmke in fairness does not disclose any such system where a wireless device and a processor exchange wireless format information through a network. Instead, the cited portion of the disclosure by Boehmke discusses only storage devices for storing software programs that are well known in the art. Accordingly, Boehmke fails to teach the element recited in claim 1:

said processor and said wireless device operable to exchange  
wireless format information through said network.

In addition, claim 1 recites:

said processor can store and retrieve information in said database  
thereby providing said wireless device with access to database  
information.

The disclosure by Boehmke is completely void of any discussion or disclosure of a

wireless device that is able to access database information through a processor. Because claim 1 recites a number of elements that are not taught by Boehmke, Applicants respectfully submit that claim 1 is not anticipated by Boehmke. Accordingly, Applicants respectfully submit that the rejection of claim 1 under 35 U.S.C. § 102(e) is overcome and respectfully requests that it be reconsidered and withdrawn.

Claims 2-3, 5, 8-14 and 16-17 ultimately depend upon and further limit the invention recited in claim 1, and should be allowable for the same reasons as claim 1, in addition to the further recitations provided in each dependent claim. Accordingly, Applicants respectfully request that the rejection of claims 2-3, 5, 8-14 and 16-17 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Claims 18 and 21-23 each recite the exchange of wireless format information between a wireless device and a processor connected to a database so that the wireless device has access to the database. As discussed above with respect to the rejection of claim 1, the disclosure by Boehmke fails to teach an exchange of wireless format information between a wireless device and a processor, and providing the wireless device with access to a database through a processor. Accordingly, claims 18 and 21-23 recite subject matter that is not, in fairness, taught in the disclosure by Boehmke. Because claims 18 and 21-23 recite elements that are not disclosed in the cited prior art reference of Boehmke, Applicants respectfully submit that the rejection of those claims under 35 U.S.C. § 102(e) is overcome and respectfully request that it be reconsidered and withdrawn.

Claims 19 and 20 ultimately depend upon claim 18, and should be allowable for the same reasons as claim 18, in addition to the further limitations provided by each claim. Accordingly, Applicants respectfully submit that the rejection of claims 19 and 20 under 35 U.S.C. § 102(e) is overcome, and respectfully request that it be reconsidered and withdrawn.

#### **CLAIM REJECTIONS - 35 U.S.C. § 103**

The Office Action states that claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Boehmke. In particular, the Office Action states that while Boehmke fails to

teach a firewall connected to a local network, the Examiner finds a firewall connected to a local network is well known in the art and would have been obvious to combine with Boechmke to produce the invention recited in claim 4. The rejection is respectfully traversed.

As noted above, with respect to the rejections under 35 U.S.C. § 102(e), claim 4 recites subject matter that is not taught or suggested by Boechmke, including an exchange of information between a wireless device and a processor coupled to a database, and a database accessible by a wireless device through a processor. Because claim 4 recites subject matter and elements that are not disclosed or suggested in the cited prior art reference of Boechmke, Applicants respectfully submit that the rejection of claim 4 under 35 U.S.C. § 103(a) is overcome, and respectfully request that it be reconsidered and withdrawn.

In addition, Applicants challenge the notion that it would have been obvious to provide a firewall to the system disclosed by Boechmke, or that a firewall connected to a local network is well known in the art. Applicants note that the Examiner has not provided evidence to support the claim of a *prima facie* case of obvious against claim 4 with respect to a firewall connected to a local network, or the combination of a firewall with the disclosure by Boechmke. Indeed, Boechmke appears to specifically exclude the use of a firewall with respect to a telecommunications network because Boechmke is merely monitoring mobile communication operations and does not transfer information out of a network. Accordingly, a firewall is unnecessary in the scheme of Boechmke, and therefore not suggested by the cited prior art reference. Because the cited prior art reference of Boechmke, or knowledge generally available to one of ordinary skill in the art, do not suggest, either alone or in combination, the invention recited in claim 4, Applicants respectfully submit that a *prima facie* case of obviousness against claim 4 has not been established, and respectfully request that the rejection of claim 4 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

The Office Action states that claims 6-7 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Boechmke in view of Shaffer et al. (U.S. Patent No. 6,477,374). In particular, the Office Action states that while Boechmke fails to teach a user database as a wireless user profile, or a scheduling service, such an element is provided by Shaffer et al. in an

obvious combination to one of ordinary skill in the art. The rejection is respectfully traversed.

As noted previously, Boechmke fails to disclose a wireless device and a processor that exchange wireless format information over a network, and also fails to disclose a database coupled to the processor to permit the wireless device access to the database. Claims 6-7 and 15 all recite these elements. Because claims 6-7 and 15 recite elements that are not taught or suggested by Boechmke or Shaffer et al., either alone or in combination, Applicants respectfully submit that the rejection of those claims under 35 U.S.C. § 103(a) is overcome, and respectfully request that it be reconsidered and withdrawn.

In addition, Applicants submit that it would not be obvious to combine Boechmke with Shaffer to obtain the present invention recited in claims 6-7 and 15 because Boechmke teaches a simple mobile telecommunications monitoring system without any exchange of information. In addition, Shaffer et al. simply teaches an incoming call routing system that does not permit a wireless device access to a database through a processor connected through a network. Claims 6-7 and 15 call for a database coupled to a processor that is accessible by a wireless device through a network, and accordingly provide claim elements that are not taught or suggested in any of the prior art references, either alone or in combination. In addition, Applicants submit that it would not be obvious to combine the disclosures by Boechmke and Shaffer et al. to arrive at the invention recited in claims 6-7 and 15. Boechmke appears to call for a system in which mobile devices are monitored, but in which no exchange of information takes place between a system and a wireless device. Shaffer appears to teach a call routing system for directing telephone calls to an appropriate device based on specified criteria. Boechmke does not teach or suggest that wireless device messages or calls should be directed to any other devices than the ones to which a call is placed directly. Shaffer et al. does not teach or suggest monitoring a wireless device from which a call or message originates. Accordingly, one of ordinary skill in the art would not seek to combine the disclosures by Boechmke and Shaffer et al. to arrive at the present invention recited in claim 6-7 and 15, because there is no teaching or suggestion in either of these cited prior art references or knowledge generally available to one of ordinary skill in the art to combine the reference teaches to arrive at the present invention. M.P.E.P. § 2142. In addition, even if the

disclosures by Boechmke and Shaffer et al. were to be combined, such a combination would still not teach all of the claim limitations found in claims 6-7 and 15. M.P.E.P. §2143.03.

Accordingly, Applicants respectfully submit that claims 6-7 and 15 are allowable under 35 U.S.C. § 103(a), and respectfully request that the rejection of those claims be withdrawn.

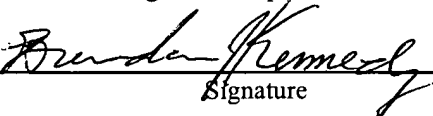
### CONCLUSION

Applicants have thoroughly reviewed the prior art in the present application and believe that the claims of the present invention are patentably distinct over the prior art references either alone or in combination. Applicants respectfully believe that the present response addresses all issues raised in the most recent Office Action. In view of the above discussions and amendments, Applicants respectfully submit that the application is now in condition for allowance, and earnestly solicit its notice to that effect. If it is believed that an interview would contribute to allowance of the application, or progress in the prosecution of the application, the Examiner is requested to contact the undersigned counsel at the number provided below.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 6, 2004:

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Name of applicant, assignee or  
Registered Representative

  
Signature

April 6, 2004

Date of Signature

Respectfully submitted,

  
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